

AMENDED IN SENATE AUGUST 18, 2010

AMENDED IN ASSEMBLY MAY 11, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2444

Introduced by Assembly Member Furutani

February 19, 2010

An act to amend Section 46600 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, as amended, Furutani. School districts: interdistrict attendance.

Existing law requires each person between the ages of 6 to 18 years, inclusive, who is not otherwise exempt, to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. Existing law authorizes the governing boards of 2 or more school districts to enter into an agreement, for a term not to exceed 5 school years, for the interdistrict attendance of pupils who are residents of the districts. Existing law requires the supervisor of attendance of the district of residence to issue an individual permit verifying the district's approval, pursuant to policies of the board and terms of the agreement, for the transfer and for the applicable period of time. Existing law establishes an appeal process for pupils whose permits are denied, or, in the absence of an agreement between the districts, if the districts fail or refuse to enter into an agreement.

This bill would preclude a pupil who is enrolled in a school pursuant to these provisions from having to reapply for an interdistrict transfer,

and would require the governing board of the school district of enrollment to allow the pupil to continue to attend the school in which he or she is enrolled, *except if the district of residence and district of enrollment agree otherwise*. The bill would ~~authorize a school district of residence that is determined to not meet specified standards and criteria for fiscal stability to rescind existing transfer permits for the subsequent school year, except for pupils entering grade 11 or 12 provide an exception for this agreement authority for pupils entering grade 11 or 12 in the subsequent school year.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 46600 of the Education Code is amended
2 to read:

3 46600. (a) (1) The governing boards of two or more school
4 districts may enter into an agreement, for a term not to exceed five
5 school years, for the interdistrict attendance of pupils who are
6 residents of the districts. The agreement may provide for the
7 admission to a district other than the district of residence of a pupil
8 who requests a permit to attend a school district that is a party to
9 the agreement and that maintains schools and classes in
10 kindergarten or any of grades 1 to 12, inclusive, to which the pupil
11 requests admission. Once a pupil in kindergarten or any of grades
12 1 to 12, inclusive, is enrolled in a school pursuant to this chapter,
13 the pupil shall not have to reapply for an interdistrict transfer, and
14 the governing board of the school district of enrollment shall allow
15 the pupil to continue to attend the school in which he or she is
16 enrolled, except as specified in paragraphs ~~(4) and (5)~~ (2) and (4).

17 (2) The agreement shall stipulate the terms and conditions under
18 which interdistrict attendance shall be permitted or denied. *The*
19 *agreement may contain standards for reapplication agreed to by*
20 *the district of residence and the district of attendance that differ*
21 *from the requirements prescribed by paragraph (1). The agreement*
22 *may stipulate terms and conditions established by the district of*
23 *residence and the district of enrollment under which the permit*
24 *may be revoked.*

25 (3) The supervisor of attendance of the district of residence shall
26 issue an individual permit verifying the district's approval, pursuant

1 to policies of the board and terms of the agreement for the transfer.
2 A permit shall be valid upon concurring endorsement by the
3 designee of the governing board of the district of proposed
4 attendance. The stipulation of the terms and conditions under which
5 the permit may be revoked is the responsibility of the district of
6 attendance.

7 ~~(4) A school district of residence may rescind existing transfer~~
8 ~~permits for the subsequent school year if it is determined to not~~
9 ~~meet the standards and criteria for fiscal stability pursuant to Article~~
10 ~~3 (commencing with Section 42130) of Chapter 6 of Part 24 and~~
11 ~~it receives a qualified or negative certification pursuant to Section~~
12 ~~42131 in that fiscal year.~~

13 ~~(5) Notwithstanding paragraph (4), a school district of residence~~
14 *(4) Notwithstanding paragraph (2), a school district of residence*
15 *or school district of enrollment* shall not rescind existing transfer
16 permits for pupils entering grade 11 or 12 in the subsequent school
17 year.

18 (b) In addition to the requirements of subdivision (e) of Section
19 48915.1, and regardless of whether an agreement exists or a permit
20 is issued pursuant to this section, any district may admit a pupil
21 expelled from another district in which the pupil continues to
22 reside.